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August 21, 1997

Federal Aviation Administration
Office of Chief Council
Attn: Rules Docket (AGC-200), Docket No. 28903;
Room 915G,
800 Independence Ave. SW
Washington DC 20591

Aircraft Technical Service INC (ATS) has been in the aircraft modification engineering business for over 40 years. During that time, ATS has completed over 2,000 Modification and Certification projects. In every Certification project, the aircraft was modified in accordance with the original certification rules established at the time of certification (TC). The only exception to this has been conversion from reciprocating engines to turbine engines. In all cases, the modified aircraft was at least as airworthy and "Safe" as it was before the modification thus providing at least an "Equivalent Level of Safety". The term "Equivalent Level of Safety" is a very key phrase in the aviation industry. It is in fact, the backbone of the modification industry. There are also certain cases where new requirements need to be added to the certification requirements. These cases should only be applied where history has shown the original certification basis to be dangerous to the public and not the whim of some government official. The "Special Conditions" and "Issue Paper" process facilitate this requirement very well. A case in point might very well be the pending requirement for smoke detectors in baggage compartments of transport category aircraft. History has shown a real need for this change. I believe the entire aviation industry is in agreement. This requirement should be applied to existing aircraft converted freighter.

Looking at the past history of modifications approved using the original certification basis there does not appear to be any justification for a change to the rules as a blanket concept. Requiring aircraft owners, STC holders, aircraft manufacturers, etc. to certify to rules in place at the time of application will have a very large and negative affect on the aviation industry as a whole and will offer a very small and unjustified benefit.

1997 AUG 26 P 2:48
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RULES DOCKET

TO: Federal Aviation Administration
Office of Chief Council
DATE: August 21, 1997
PAGE: 2

Modifications to CAR 4b aircraft will almost certainly become non-economical due to the significant increase in modification costs. These aircraft provide an important role in the United States economy and the proposed rule change will lead to a rapid loss of these aircraft. Again, history has shown that if properly maintained, these aircraft can be operated in a very safe manner and provides significant economy over newer aircraft. The concept that there would be no or very little economic impact from this proposed rule change is simply not true. This change would very likely kill off 60-80% of the modification business for both part 23 and CAR 4b(FAR25) aircraft. Personally, this would probably cause the end of Aircraft Technical Service INC. I believe my family would think that is a significant economic impact. ATS has approximately 20 employees, so that makes us pretty small and unimportant, but my 20 employees all have families who depend on their income. The total effect would be more like 80 people. There are hundreds of companies like ATS in the aircraft modification business. This means that thousands of people will be directly affected by this proposed change. **With no real improvement in aviation safety!**

A modification to a DC-3 aircraft under the new rules would require nearly a total redesign of the aircraft. Would the DC-3 be any safer? I don't see how. I am all for aviation safety, but lets not kill off a very important industry in the name of safety if there is no real improvement in safety. We have a very good system in place to make corrections where deficiencies are found, the AD system works very well. We also have special conditions that are sometimes applied during certification and we have the Issue Paper process, which allows a case by case review to determine if special conditions need to be applied. **Leave the system alone, please.**

If the FAA has people who permit the Grumman Albatross to be converted from 2 reciprocating engines to 4 turbo propeller engines without addressing the FAR part 25 engine rules then look at the internal FAA procedures that permitted that. Those rules have been in place for over 25 years. That was an internal FAA screw up. The same is true with all of the current Freighter conversion STCs. If the FAA and DERs had done their job properly in the first place and reviewed the data properly this would never have taken place. Let's take action against the problem; not change good rules that will not help make aircraft safer.

TO: Federal Aviation Administration
Office of Chief Council
DATE: August 21, 1997
PAGE: 3

There has recently been a significant improvement in the DER over site process. I am sure that this will help avoid a repeat of the B727 freighter STC fiasco. But the FAA simply does not have the time or technical skills to review all of the data it receives. The DER system is absolutely required to support the certification process. Let's focus on insuring compliance with the existing rules, where the problem really lies, not changing the rules.

I strongly recommend that the proposed rule changes defined in Docket No. 28903 be rejected for lack of benefit and the high economic impact.

Regards,

Aircraft Technical Service INC

A handwritten signature in black ink, appearing to read "Michael A. Snow".

Michael A. Snow
President